



Advance Mitigation

Improving environmental outcomes, mitigation success and project delivery through collaborative advance transportation and conservation planning



Overview



- The Basics
 - What it is, How it is different, what it is not
 - Authorizations
 - Current Initiatives
- Advance Mitigation Procedures
- The SHOPP .240 Advance Mitigation Program



What it is

- Refers to mitigation *in advance*:
 - Of incurrence of impacts
 - Of project delivery
 - Of projects being programmed and having preferred alternatives selected
 - Projects identified from long range transportation plans
- Goals of Advance Mitigation
 - To improve project delivery outcomes by having appropriate mitigation already in place when needed
 - To improve environmental outcomes by consolidating potential compensatory mitigation needs from multiple projects in a given area and investing them strategically to address conservation priorities
 - Landscape scale mitigation
 - To improve mitigation outcomes by having better planned and delivered mitigation projects that are successful and compliant
- Refers to compensatory mitigation, but also to avoidance and minimization
 - Early identification of resources to avoid
 - Early identification of needs that may require structural design elements – wildlife crossings and fish passage barrier remediation



How it is different

- Conducted early – in the planning phase (pre-PID)
 - Little project description to go on
 - No preferred alternative selected (no CEQA/NEPA on transportation projects)
 - Early coordination with regulatory agencies
- Proactive approach to mitigation
- Mitigation project delivery timelines decoupled and ahead of transportation project delivery timelines
- Seeks to meet conservation goals, not just regulatory requirements
- Stimulates the private mitigation sector to provide needed mitigation based on forecasts, rather than by looking at the past



What it is not

- Advance mitigation does not confer approval of a given transportation project's alternatives.
- Advance mitigation does not guarantee that a transportation project will have its mitigation approved by the agencies
- Advance mitigation does not mean that transportation projects do not have to program in mitigation funding during the PID phase
- Advance mitigation does not provide Project Managers the means to circumvent the PCR process



Authorizations

- Provides for compensatory mitigation under the usual laws which require mitigation
- MAP-21
 - Funding
 - 23 USC 119 National Highway Performance Program
 - 23 USC 133 Surface Transportation Program
 - Process
 - 23 USC 168: Integration of Planning and Environmental
 - Planning Products
 - 23 USC 169: Programmatic Mitigation
 - Programmatic mitigation defined as a planning product



Current Initiatives

- These efforts are interagency initiatives that have the goals of establishing agreed upon policy, agreements, procedures, and guidelines for conducting advance mitigation
- RAMP
 - Regional Advance Mitigation Planning
 - RAMP MOU: July 2009
 - RAMP Development SP&R contract with UC Davis; March 2015
- SAMI
 - Statewide Advance Mitigation Initiative
 - SAMI MOU: February 2011, expires February 2016, under renewal
 - Statewide Advance Mitigation Funding and Finance SP&R contract: UC Davis, April 2015



Advance Mitigation Procedures

General Process

■ Regional Assessment

- Planning phase of advance mitigation.
- Coordinate with planning, SHOPP tool to identify upcoming transportation projects
- Identify eco-regional groupings of the transportation projects
 - Establish Regions for which advance mitigation projects will be created
- Coordinate with CDFW and other resource agencies to identify conservation priority locations and resources of concern in these eco-regions
 - MAP-21 §1310 & §1311
 - Planning product to be adopted into environmental documents of the action plan
- Perform Impact Assessment to obtain an estimation of resources that must be avoided, transportation projects that will need structural elements incorporated into design for minimization, and potential compensatory mitigation need

■ Action Plan

- Project development phase of advance mitigation projects
 - PID, PAED, PS&E, RTL
- Given the findings of the regional assessment(s), what advance mitigation projects will be needed and how will they be implemented and funded?
- CEQA/NEPA for advance mitigation projects
 - MAP-21 §1310 & §1311
 - Planning product to be adopted into environmental documents of the transportation projects

■ Implementation

- Bidding and construction phases
- Advance mitigation projects can use a variety of bidding mechanisms
- Can be third party (preferred) or Caltrans-owned and operated



Regional Assessments

- The Regional Assessment is a document that:
 - Defines a geographical “Region”:
 - Common ecological area (e.g., watershed, eco-region)
 - Has multiple transportation projects in long-range transportation plans that may require compensatory mitigation
 - Identifies critical and protected resources and conservation priorities
 - Protected areas, easements
 - Mitigation banks, HCPS/NCCPs
 - Biodiversity hotspots
 - Wildlife corridors/fish passage barriers
 - Designated critical habitat, listed species habitat
 - Assesses the mitigation need in that region
 - Identifies resources to be avoided – informs design
 - Identifies where structural elements may be needed – informs design
 - Identifies quantity and type of compensatory mitigation needed
 - Can be a planning product that is adopted into action plans

Mitigation Need Estimate

- GIS overlay methodology
 - Project footprints intersected with natural resource layers
- Footprints
 - Convert CRPM data into line data
 - Generate buffer to represent roadway
 - Generate buffer around the roadway to represent impact area
- Select resource layers and display
 - NWI
 - Hydrology
 - Vegetation (CWHR habitat types)
 - Others
- Intersect footprint layer with resource layers
 - Calculate areas
 - Interpret, aggregate

Prepared for California Department of Transportation


Prepared by University of California, Davis

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Photo Credit: Patrick Huber



Action Plans



- General description
 - A document that describes how the needed mitigation identified in a Regional Assessment will be satisfied
 - What resources and how much
 - Where
 - By what means
 - Funding
 - Forms the basis for proposals and PID development for mitigation projects
 - CEQA/NEPA
- Approaches
 - Third Party
 - Mitigation Banks: bulk credit purchase, bank establishment
 - In-lieu fee programs
 - HCP/NCCP if appropriate
 - Caltrans owned and operated
 - Mitigation banks
 - Conservation Easements

Bidding

- Request for Interest (RFI)
- Request for Information (RFI)
- Request for Qualifications (RFQ)
- Request for Proposals (RFP)



SHOPP .240 Advance Mitigation Program





Application to SHOPP .240

- General

- The Advance Mitigation Program is a set-aside within the Roadside Protection and Restoration Program (Program Code 201.240)
- Established in Fall 2013
- Administered by Landscape Architecture
- \$5 million annually (\$10 million per 2-year SHOPP programming cycles)
- 2016 SHOPP: 3 advance mitigation projects with approved PIDs
- 2018 SHOPP: 7 advance mitigation projects on PID work plan

- Timelines

- Guidelines

- Proposals

- Better integration with methods developed for RAMP in future SHOPPs



SHOPP .240 Advance Mitigation Timelines

- General (SHC §1-64.6)
 - 10 – Year SHOPP Needs Plan produced every 2 years in odd years
 - Fiscally Constrained SHOPP Plan produced every 2 years in even years
- SHOPP .240 Advance Mitigation projects must:
 - Have proposals produced on an on-going basis
 - District Environmental coordinates with DLA and HQ Bio
 - Be entered into the SHOPP Asset Management Tool 3 – 4 years in advance of SHOPP year (e.g., for 2018 SHOPP, no later than 6/30/15)
 - DLA with District Environmental prioritization
 - Have PIDs developed 1 – 3 years ahead of SHOPP Year (e.g., for 2018 SHOPP, starting 7/1/15, but finished and signed by 6/30/17)
 - DLA is the lead in writing PID with coordination with District Environmental
 - Starting in the program year, go through the usual project delivery process. (e.g., for 2018 SHOPP, delivery starts 7/1/2018).

<http://10.56.3.8/pirs/TenYrShopp/index.cfm>

The Drop Down options shown would select all of the projects on the 2015 Ten Year Needs Plan (non-programmed projects).

The list could be further constrained by District, or County

File Edit View History Bookmarks Tools Help

10-YEAR SHOPP PROJECT PER... x +

10.56.3.8/pirs/tenyrshopp/?report=Rawdata

SHOPP Asset Management Tool

Home | SHOPP Programs & Mgrs | 2016 SHOPP Program Guidelines/Timeline | Contacts | Login

Tracking and Reporting
SHOPP Project Performance
effectively

SHOPP REPORT FORM

Select a report type below to proceed.

Report Type: SHOPP Raw Data

District:

County:

Route

Program Category:

Program Code:

PID Cycle:


SHOPP Year:

Programmed: Non-Programmed Projects Only

CFD: All Projects

Ten-Year Plan: 2015

Get Report



Hit Count: 0013534



SHOPP .240 Advance Mitigation Guidelines

■ Qualifications


- Be a new, stand alone mitigation project;
- Provide environmental mitigation for projected impacts from one or more future state transportation projects, as identified by the 10-year SHOPP Needs Plan;
- Offset unavoidable environmental impacts of transportation projects as determined under environmental laws and regulations including, but not limited to:
- Must comply with SHOPP programming requirements.
- Must seek to comply with federal program requirements if utilizing federal funds.

■ Priorities

- Buying credits in bulk from existing banks or in-lieu fee programs;
- Securing environmental resources for advance mitigation that are in high demand but short supply
- Partnering with other agencies/non-profits to fund restoration projects, in part or in whole.
- Creation of new privately owned and operated, but Caltrans-dedicated, mitigation banks or conservation banks
- Acquiring conservation easements
- Acquiring land in fee simple.
- Creation of new Caltrans-owned and operated mitigation banks or conservation banks
- Improving fish and wildlife protection on the state highway system, including fish passage remediation or improving habitat connectivity.

SHOPP .240 Advance Mitigation Project Proposals

- District Biologists should
 - Work with HQ Biology to identify mitigation needs and craft advance mitigation project proposals, work with district planning and landscape architecture
 - Planning and LA can help with identifying transportation projects
 - HQ Biology will help ensure that proposals meet policy and program guidelines
 - Present the District Landscape Architect with proposals to get the proposals onto the PID Work Plan, and work with DLA to develop the PID
 - Once programmed, the advance mitigation projects will be assigned a PM; biologists will work closely with PM and PDT to deliver
- Advance Mitigation Project Proposals should include:
 - A description of the proposed project
 - Identification of mitigation need, including
 - Identification of transportation projects from 10-Year SHOPP that may require mitigation
 - The geographic/eco-regional grouping of those projects (region/service area)
 - Estimation of potential impacts
 - Authorities requiring mitigation
 - An action plan stating how the mitigation will be fulfilled
 - If there are any funds from other projects or programs involved (such as STIP), a description of how the proposed project will be separated out
 - Documentation of coordination with the appropriate resource agencies demonstrating adherence to policy guidelines, including how crediting will be tracked
 - All of the above are necessary to demonstrate adherence to program guidelines



Integrating SHOPP .240 with RAMP and SAMI

- RAMP and SAMI call for an interagency planning process
 - Regional Assessments
 - Action Plan
 - Implementation
- SHOPP .240 has been moving toward the Action Plan phase with insufficient interagency planning
 - Risk management – Agency approval
- Regional Assessments need to be done as a means of generating project proposals and to meet agency expectations
 - Need to meet MAP-21 Planning Product/Programmatic Mitigation thresholds
 - These Regional Assessments can be adopted into the advance mitigation projects' environmental documents as planning products; these environmental documents can then be adopted into the transportation projects' environmental documents as planning products.

